

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **Citizens Insurance Company of America v Debra Polony**  
Docket No. **270371**  
L.C. No. **2005-002974-CK**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),  
orders:

The claim of appeal and motion to confirm jurisdiction are DISMISSED for lack of jurisdiction because the April 24, 2006 order is not a final order for the reason that not all the rights and liabilities of the parties have been adjudicated as required by MCR 7.202(6)(a)(i). In particular, the trial court has not yet adjudicated penalty interest, statutory interest, and statutory attorney fees. MCR 7.202(6)(a)(iv) is irrelevant in this case because (iv) only applies if a MCR 7.202(6)(a)(i) final order has been entered. At this point no MCR 7.202(6)(a)(i) final order has been entered. As a result, appellant may only challenge the order at this time by filing a delayed application for leave to appeal under MCR 7.205.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUN 15 2006  
Date

*Sandra Schultz Mengel*  
Chief Clerk